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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/066,651	02/06/2002	Joo-Seon Kim	Q64314	4497

7590 07/14/2005

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EXAMINER

TORRES, JOSEPH D

ART UNIT	PAPER NUMBER
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2133

DATE MAILED: 07/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Supplemental

**Advisory Action  
Before the Filing of an Appeal Brief**

Application No.

10/066,651

Applicant(s)

KIM, JOO-SEON

Examiner

Joseph D. Torres

Art Unit

2133

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 23 May 2005 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.  
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**NOTICE OF APPEAL**

2. ☐ The Notice of Appeal was filed on \_\_\_\_\_. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

**AMENDMENTS**

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because  
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);  
(b) ☐ They raise the issue of new matter (see NOTE below);  
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).  
5. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.  
6. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  
The status of the claim(s) is (or will be) as follows:  
Claim(s) allowed: 17.  
Claim(s) objected to: \_\_\_\_\_.  
Claim(s) rejected: 1,2,4-16,19-22 and 28-36.  
Claim(s) withdrawn from consideration: 23-27.

**AFFIDAVIT OR OTHER EVIDENCE**

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).  
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

**REQUEST FOR RECONSIDERATION/OTHER**

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  
See Continuation Sheet.  
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). \_\_\_\_\_.  
13. ☐ Other: \_\_\_\_\_.

JOSEPH D. TORRES  
PRIMARY EXAMINER

Joseph D. Torres, PhD  
Primary Examiner  
Art Unit: 2133

Continuation of 11. does NOT place the application in condition for allowance because: The Applicant contends, "Massoudi's correction engine 608 uses syndromes, generated by the on-the-fly row correction circuitry 410 and column and EDC syndrome generator circuitry 412, to "generate an 'error value' and 'error location' for the row or column associated with the syndrome" (column 9, lines 43-46). The generated error value is then used by either the on-the-fly row correction circuitry 410 or the correction circuitry 602 to correct the errors (column 9, lines 46-49). The on-the-fly row correction circuitry 410 and the correction circuitry 602 do not calculate error location/values. Instead, only Massoudi's correction engine 608 calculates an error value and error location. On- the-fly correction circuitry 410 and correction circuitry 602 merely use the error location/values generated by the correction engine 608 (see column 9, lines 43-49)". The Examiner disagrees and asserts that the Applicant's contention is absurd for various reasons. First of all, column 9, lines 31-49 of Massoudi teach that Massoudi's correction engine 608 receives only column syndromes and uses the column syndromes to generate error location and error values for the column codewords whereas Steps 504 and 506 teach that on-the-fly row error correction takes place well before column syndromes are even calculated; hence column error location and error values are not even available during on-the-fly row error correction. Second of all, one of ordinary skill in the art at the time the invention was made would have recognized that row error location and error values generated from row syndromes are required for row error correction, that is; column error location and error values cannot be used to correct row codewords since they are two different codes and column error location and error values are specific to column codewords, not row codewords.

The Applicant contends, "Examiner also asserts that the decoding and correction of Reed-Solomon error correction codes inherently requires steps for determining the error value and location in order for a codeword to be corrected".

The Examiner challenges the Applicant to explain how a row codeword can be corrected without knowing the value and row location of the error. The Examiner asserts that is how error correction is performed, by knowing where the error is and what the value should be..